



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,923	12/22/2000	Jarvis C. Tou	42390P9432	2870

8791 7590 05/22/2006

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

TRINH, TAN H

ART UNIT PAPER NUMBER

2618

DATE MAILED: 05/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,923

Applicant(s)

TOU ET AL.

Examiner

TAN TRINH

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-16,21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-16,21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 02-02-2006 and 04-27-2006, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-16 and 21-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Jones (U.S. Patent No. 6509876).

Regarding to claim 1, Jones teaches an apparatus (see fig. 1) comprising: a personal computer card (see fig. 1, computer (communication) card 16 (PCMCIA 16) and figs. 8-13, communication card 16) including communication module (see figs. 1 and 8-13, communication card 16, col. 3, lines 15-37, col. 6, lines 57-col. 7, lines 55) having an antenna unit (Figs. 1, 10-13, antenna system 12, col. 7, lines 44-col. 8, lines 5), and a spring to assist in extending the antenna unit from the communication module (see Figs. 9-10, spring 72, col. 10, lines 59-65), wherein the antennae unit is adapted to disable the communication module when in a first position and wherein the apparatus is operable when the antenna unit is in the first position.

Art Unit: 2684

(figs. 8-9, antenna extended position 34 (second position) and retracted position 36 (first position), and figs. 2-3 and 8-9, col. 8, lines 52-col. 9, lines 34, col. 10, lines 35-44, and col. 3, lines 60-col. 4, lines 18).

Regarding to claim 3, Jones teaches wherein the antenna unit is further adapted to enable a visual indicator when in the first position (see fig. 4-5, light source 48, col. 9, lines 35-57) and (see fig. 10, an indicator, light source 83, visual indicator when in the first position light source 83 is dark, the antenna is retracted position 36, the light 83 will turn off to indicated that the antenna system 12 is no longer operational, col. 11, lines 16-28), and (see col. 4, lines 15-18).

Regarding to claim 4, Jones teaches wherein the visual indicator comprises a light emitting diode (LED) (see fig. 10, LED light source 83).

Regarding to claim 5, Jones teaches wherein the antenna unit is further adapted to enable the communication module when in a second position (extended 34) (see fig. 8, col. 10, lines 1-34).

Regarding to claim 6, Jones teaches wherein at least a majority of the antenna unit is contained within the communication module when in the first position (see fig. 9, col. 10, lines 34-44, col. 3, lines 60-col. 4, lines 9).

Regarding to claim 7, Jones teaches wherein substantially all of the antenna unit is

Art Unit: 2684

contained within the communication module when in the first position (see fig. 9, col. 10, lines 34-44, and col. 3, lines 60-col. 4, lines 9).

Regarding to claim 8, Jones teaches wherein the communication module comprises a radio (see fig. 1, col. 7, lines 44-col. 8, lines 37).

Regarding to claim 9, Jones teaches a portable radiotelephone adapted use in a cellular radiotelephone system to transmit and receive signals having a frequency ranging of cellular band from about 1 MHz to 900 MHz (see col. 6, lines 65-67 and col. 8, lines 6-37).

Regarding to claim 10. Jones teaches wherein the communication module comprises a personal computer memory card international association (PCMIA) card (see figs. 1, col. 7, lines 5-43)

Regarding to claim 11, Jones teaches a system (see fig. 1) comprising: a processor a static random access memory coupled to the processor (see fig. 1, col. 6, lines 57- col. 8, lines 15), the examiner take official noticed for the static random access memory coupled to the processor is a well known in the art (see fig. 1, col. 6, lines 57- col. 8, lines 15), and a communication module (see figs. 1 and 8-13, communication card 16, col. 3, lines 15-37, col. 6, lines 57-col. 7, lines 55) having an antenna module (Figs. 1, 10-13, antenna system 12, col. 7, lines 44-col. 8, lines 5), and spring to assist in extending at least a port of the antenna module from the communication module (see Figs. 9-10, spring 72, col. 10, lines 59-65), wherein at least the portion of the antenna unit extends from the communication module in a first position (extended position 34) to

Art Unit: 2684

enable the communication module to transmit and receive (see figs. 1, 8 and 10-13, col. 10, lines 1-34, and col. 11, lines 39-42, lines 49-54), and wherein the portion retracts into the communication module in a second position (retracted position 36) to disable the communication module from transmitting or receiving (see figs. 2-3 and 9, col. 8, lines 52-col. 9, lines 34, and col. 10, lines 35-44), Wherein the system is still operable when the portion is in the second position (see col. 3, lines 60-col. 4, lines 18).

Regarding to claim 12, Jones teaches wherein at least a majority of the antennae unit extends from the communication module when the antennae unit is in the first position (extended position 34) (see figs. 1, 8 and 10-13, col. 8, lines 54-63, col. 10, lines 1-34, and col. 11, lines 39-42, lines 49-54).

Regarding to claim 13, Jones teaches wherein the antennae unit disables the communication module when in a second position (retracted position 36) (see figs. 2-3 and 9, col. 8, lines 52-col. 9, lines 34, and col. 10, lines 35-44).

Regarding to claim 14, Jones teaches wherein at least a majority of the antennae unit is contained within the communication module when in the second position (retracted position 36) (see fig. 9, col. 3, lines 60-col. 4, lines 18).

Art Unit: 2684

Regarding to claim 15, Jones teaches wherein the antenna unit extends less than about 10 centimeters outward from the communication module when in the first position (extended position 34) (see fig. 8 and 10-13).

Regarding to claim 16, Jones teaches wherein the antenna unit is adapted to enable a visual indicator when in the second position (retracted position 36) (see fig. 4-5, light source 48, col. 9, lines 35-57) and (see fig. 10, an indicator, light source 83, visual indicator when in the second position light source 83 is dark, the antenna is retracted position 36, the light 83 will turn off to indicated that the antenna system 12 is no longer operational, col. 11, lines 16-28), and (see col. 4, lines 15-18).

Regarding to claims 21 and 22, Jones teaches wherein the spring facilitates electrical contact between the communication module and antenna unit when extended (see figs. 8 and 10-13, col. 10, lines 53-col. 11, lines 15).

Response to Arguments

4. Applicant's arguments with respect to claims 1, 3-16 and 21-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for Technology Center 2600 only)

*Hand-delivered responses should be brought to the Customer Service Window (now located at the **Randolph Building, 401 Dulany Street, Alexandria, VA 22314**).*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Trinh whose telephone number is (571) 272-7888. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Anderson, Matthew D., can be reached at (571) 272-4177.

The fax phone number for the organization where this application or proceeding is assigned is **(571) 273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tan H. Trinh
Division 2618
May 17, 2006

Anderson, Matthew D. (SPE 2618)

